

REMARKS

Claims **4-9, 13-17** and **22-27** are pending in the present application. Claims **1-3, 10-12, 19-21** and **28-31** were canceled; claims **4, 5, 7, 8, 13, 14, 16, 17, 22, 23, 25,** and **26** were amended; and no claims were added. Reconsideration of the claims is respectfully requested.

The Examiner has rejected claims **1-5, 8, 10-14, 17, 19-21** and **26** over various combinations of prior art. The Examiner has also indicated that claims **6, 7, 9, 15, 16, 18, 22, 24, 25** and **27** contain allowable subject matters and would be allowed if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants' representative appreciates the Examiner's diligence and attention to detail and thanks the Examiner for the expeditious manner in which the allowable subject matters were identified.

In reviewing the Examiner's Office Action, it was apparent that the Examiner considers the limitation requiring the policy decision point PDP to be independent of the policy enforcement point (PEP), an allowable subject matter. This limitation is solely contained in claim **22**. The Examiner considered and rejected claims **4** and **13** which contained corresponding limitations to claim **22**, but which did not require the policy decision point to be independent of the policy enforcement point (PEP). Therefore, each of claims **4** and **13** have been amended in accordance to the Examiner's implications and now contain a limitation requiring that the policy decision point be independent of the policy enforcement point (PEP). Claims **4** and **13** now contain identical limitations to those in claim **22** which the Examiner found allowable. Additionally, each of claims **4, 13** and **22** are now written in independent form and include all of the limitations of the base claim and all intervening claims

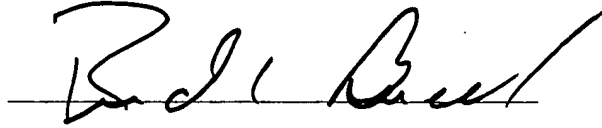
The claims have now been amended in accordance with the Examiner's comments and it is respectfully urged that subject application is patentable and is now in condition for allowance.

The Examiner is invited to call the undersigned at the below-listed telephone number if, in the opinion of the Examiner, such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: _____

4/18/01

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rudolph J. Buchel Jr.", written over a horizontal line.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (CANCELLED)

2. (CANCELLED)

3. (CANCELLED)

4. A method for controlling customer resources for network traffic delivery, comprising:

[The method of claim 3, further comprising the step of:]

tracking network utilization of a group of endpoints on a network to generate group utilization level information corresponding to a current amount of network resource consumption by the group;

receiving a message corresponding to a request for network resources for a data flow for one of the endpoints, the request including an identifier associated with the one endpoint and being from one of a router and a packet switch, associated with the one endpoint, said one of the router and the packet switch is a policy enforcement point (PEP);
determining whether the request is accepted based on the group utilization level information, the identifier, and a predetermined profile, the predetermined profile being associated with the group and including a network utilization limit;
forwarding to said one of the router and the packet switch the result of the decision whether to accept the request; and

performing the steps of tracking, receiving, and determining on a server that forms a policy decision point independent of said PEP.

(AMENDED) 5. The method of claim [1] 4, wherein the step of determining comprises the step of:

applying a policy rule, using the group utilization level information, the identifier, and the predetermined profile to determine whether the group exceeds the network utilization limit.

1 (AMENDED) 7. The method of claim [1] 4, wherein the group is associated with a reserved
2 bandwidth service logical access port (RLAP) and the method further comprises the steps of:
3 tracking network utilization of the RLAP, the RLAP including the one endpoint to
4 generate RLAP utilization level information corresponding to a current amount of network
5 resource consumption by the RLAP; and
6 wherein the step of determining comprises the step of:
7 determining whether the request is to be accepted based on the RLAP utilization level
8 information and another predetermined profile that is associated with the group, includes a
9 corresponding network utilization limit.

1 (AMENDED) 8. The method of claim [1] 4, further comprising the step of:
2 adjusting the group utilization level information, when the request is accepted, to reflect
3 the installment of the request and the corresponding increase in network resources consumption.

1 10. (CANCELLED)

1 11. (CANCELLED)

1 12. (CANCELLED)

1 13. A system for controlling customer resources for network traffic delivery,
2 comprising:
3 [The system of claim 12, further comprising:]
4 means for tracking network utilization of a group of endpoints on a network to
5 generate group utilization level information corresponding to a current amount of network
6 resource consumption by the group;
7 means for receiving a message corresponding to a request for network resources for
8 a data flow for one of the endpoints, the request including an identifier associated with the
9 one endpoint and being from one of a router and a packet switch associated with the one
10 endpoint, said one of the router and the packet switch is a policy enforcement point (PEP);

11 means for determining whether the request is to be accepted based on the group
12 utilization level information, the identifier, and a predetermined profile, the predetermined
13 profile being associated with the group and including a network utilization limit;

14 means for forwarding to said one of the router and the packet switch the result of
15 the decision whether to accept the request; and

16 a server forming a policy decision point independent of said PEP, said server including
17 the means for tracking, the means for receiving, and the means for determining.

1 (AMENDED) 14. The system of claim [10]13, wherein the means for determining
2 comprises:

3 means for applying a policy rule, using the group utilization level information, the
4 identifier, and the predetermined profile to determine whether the group exceeds the network
5 utilization limit.

1 (AMENDED) 16. The system of claim [10]13, wherein the group is associated with a
2 reserved bandwidth service logical access port (RLAP), said RLAP including the group; and
3 wherein the system further comprises:

4 means for tracking network utilization of the RLAP, the RLAP including the one
5 endpoint to generate RLAP utilization level information corresponding to a current amount of
6 network resource consumption by the RLAP; and

7 wherein the means for determining further comprises:

8 means for determining whether the request is to be accepted based on the RLAP
9 utilization level information and another predetermined profile that is associated with the group
10 includes a corresponding network utilization limit.

1 (AMENDED) 17. The system of claim [10] 13, further comprising:

2 means for adjusting the group utilization level information, when the request is accepted,
3 to reflect the installment of the request and the corresponding increase in network resources
4 consumption.

1 19. (CANCELLED)

1 20. (CANCELLED)

1 21. (CANCELLED)

1 22. A computer readable medium storing program instructions for execution on a
2 computer system, which when executed by a computer, causes the computer to perform the
3 steps of:

4 [The computer readable medium of claim 21, wherein the computer readable
5 medium further comprises program instructions for]

6 tracking network utilization of a group of endpoints on a network to generate group
7 utilization level information corresponding to a current amount of network resource
8 consumption by the group;

9 receiving a message corresponding to a request for network resources for a data
10 flow for one of the endpoints, the request including an identifier associated with the one
11 endpoint and being from one of a router and a packet switch associated with the one
12 endpoint, said one of the router and the packet switch is a policy enforcement point (PEP);

13 determining whether the request is to be accepted based on the group utilization
14 level information, the identifier, and a predetermined profile, the predetermined profile
15 being associated with the group and including a network utilization limit;

16 forwarding to the router the result of the decision whether to accept the request;
17 and

18 causing the computer to form a policy decision point independent of said PEP.

1 (AMENDED) 23. The computer readable medium of claim [19] 22, wherein the step of
2 determining comprises the step of:

3 applying a policy rule, using the group utilization level information, the identifier, and the
4 predetermined profile to determine whether the group exceeds the network utilization limit.

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1 (AMENDED) 25. The computer readable medium of claim [19] 22, wherein the group is
2 associated with a reserved bandwidth service logical access port (RLAP), and the computer
3 readable medium further includes program instructions for causing the computer to perform the
4 step of:

5 tracking network utilization of the RLAP, the RLAP including the endpoint to generate
6 RLAP utilization level information corresponding to a current amount of network resource
7 consumption by the RLAP; and wherein step of determining comprises the step of:

8 determining whether the request is to be accepted based on the RLAP utilization level
9 information and another predetermined profile that is associated with the group includes a
10 corresponding network utilization limit.

1 (AMENDED) 26. The computer readable medium of claim [19] 22, wherein the computer
2 readable medium further includes program instructions for causing the computer to perform the
3 step of:

4 adjusting the group utilization level information, when the request is accepted, to reflect
5 the installment of the request and the corresponding increase in network resources consumption.

1 28. (CANCELLED)

1 29. (CANCELLED)

1 30. (CANCELLED)

1 31. (CANCELLED)